a generator connected to the memory for generating message and menu displays using the updated menu content information, whereby the displays produce subscriber options for selection of other menus and television programs;

a subscriber interface in communication with the generator for selecting messages, menus, television programs or for entry of subscriber inputs; and

a tuner connected to the interface for tuning to one of the digitally compressed program signals to produce a tuned television program signal.

22. (Twice Amended) A method for using an advanced set top terminal with a television program delivery system comprising the following steps:

storing menu content information;

receiving digitally compressed program signals and a control information stream, wherein the control information stream comprises a description of the contents of the program signals received with the control information stream, commands to be sent to the set top terminal and transmission information of the control information stream;

processing the control information stream to produce processed control information;

updating the stored menu content information to produce updated menu content information;

generating message and menu displays using the updated menu content information, whereby the menu displays produce subscriber options for selection of other menus and television programs;

selecting the other menus, the television programs or a message display; and

tuning to one of the digitally compressed television programs signals to produce a tuned television program signal.

## REMARKS

Claims 1-40 are pending. By this amendment, claims 7 and 22 are amended. No new matter is introduced. The amendments to the claims find support in the claims and specification as originally filed. Amended claims 7 and 22 find support in the specification at least at page 12, lines 1-5. Reconsideration and allowance of the claims in view of the above-amendments and the remarks that follow are respectfully requested.

Applicants thank Examiner Brown for the courtesies extended to the Applicants' representatives, Sung Kim and John Harrop, during an August 19, 2002 personal interview. The substance of the interview is incorporated in the remarks that follow.

This Supplemental Amendment and Response incorporates by reference the Amendment and Response filed on August 15, 2002.

On page 3 the Office Action rejects claims 7-9 and 22-24 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent 5,223,924 to Strubbe (hereafter Strubbe). This rejection is respectfully traversed.

The Office Action asserts that Strubbe shows circuitry connected to a television for use with a television program delivery system comprising a receiver for receiving digitally compressed program signals and control information stream.

Strubbe discloses program material as well as data describing future programming provided via a digital transmission system that carries compressed audio/video data together with data for providing in text and graphic form, *information about television shows scheduled for the upcoming week* (column 2, lines 52-58). However, Strubbe does not teach or suggest a receiver for receiving digitally compressed program signals and a control information stream, wherein the control information stream comprises a description of the contents of the program signals received with the control information stream, commands to be sent to the set top terminal and transmission information of the control information stream.

Claim 7 recites an advanced set top terminal comprising a receiver for receiving digitally compressed program signals and a control information stream, wherein the control information stream comprises a description of the contents of the program signals received with the control information stream, commands to be sent to the set top terminal and transmission information of the control information stream. Similarly, claim 22 recites a method for using an advanced set top terminal comprising the step of receiving digitally compressed program signals and a control information stream, wherein the control information stream comprises a description of the contents of the program signals received with the control information stream, commands to be sent to the set top terminal and transmission information of the control information stream. As discussed above, Strubbe does not teach or suggest these limitations. Therefore, claims 7 and 22 are allowable.

Claims 8-9 depend from claim 7 and claims 23-24 depend from claim 22. As discussed above, claims 7 and 22 are allowable. For this reason and the additional features they recite, claims 8-9 and 23-24 are allowable. Withdrawal of the rejection of claims 7-9 and 22-24 under 35 U.S.C. § 102(e) is respectfully requested.

On page 5 the Office Action rejects claims 31, 33-36 and 38-40 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent 5,561,708 to Remillard (hereafter Remillard). This rejection is respectfully traversed.

As discussed in the Amendment and Response filed on August 15, 2002, Remillard does not teach or suggest the limitations recited in claims 31 and 36. Therefore, claims 31 and 36 are allowable.

Claims 33-35 depend from claim 31 and claims 38-40 depend from claim 36. As discussed above, claims 31 and 36 are allowable. For this reason and the additional features they recite, claims 33-35 and 38-40 are allowable. Withdrawal of the rejection of claims 31, 33-36 and 38-40 under 35 U.S.C. § 102(e) is respectfully requested.

On page 7 the Office Action rejects claims 1, 3-6, 16 and 18-21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,154,633 to Landgraf et al. (hereafter Landgraf) in view of Remillard. This rejection is respectfully traversed.

The present application 09/158,549 is a divisional of parent application 08/160,194, which was filed on December 2, 1993 and subsequently issued as US Patent 5,990,927 to Hendricks et al. The present application 09/158,549 claims priority to the December 2, 1993 filing date of the parent application 08/160,194 and predates the earliest effective filing date of Landgraf. Therefore, Landgraf is not prior art with respect to the present application. Withdrawal of the rejection of claims 1, 3-6, 16 and 18-21 under 35 U.S.C. § 103(a) is respectfully requested.

On page 10 the Office Action rejects claims 2 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Landgraf in view of Remillard and further in view of U.S. Patent 5,539,449 to Blahut et al. (hereafter Blahut). This rejection is respectfully traversed.

Claim 2 depends from claim 1 and claim 17 depends from claim 16. As discussed above, Landgraf is not prior art with respect to the present application. Withdrawal of the rejection of claims 2 and 17 under 35 U.S.C. § 103(a) is respectfully requested.

On page 10 the Office Action rejects claims 10-15 and 25-30 under 35 U.S.C. § 103(a) as being unpatentable over Strubbe in view of Remillard. This rejection is respectfully traversed.

Regarding claims 12 and 27, the Office Action states on page 12 that "Strubbe does not disclose where the information is created, he only mentions a digital transmission system." The Office Action asserts that it would have been obvious for one of ordinary skill in the art to modify Strubbe by making an operations center a part of the digital transmission system in order to separate the network system from the EPG creation system.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art (see MPEP 2143.01; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992)).

There is no explicit or implicit teaching, suggestion or motivation in the cited prior art to modify the teachings of Strubbe as indicated in the Office Action. Specifically, there is no explicit or implicit teaching, suggestion or motivation in the cited prior art to incorporate the feature of an operations center for generating menu control information in digitally compressed form and transmitting said menu control information as recited in claim 12. Additionally, there is no explicit or implicit teaching, suggestion or motivation in the cited prior art to incorporate the feature of generating menu control information in digitally compressed form at an operations center as recited in claim 27. Further, there is no explicit or implicit teaching, suggestion or motivation to modify the teachings of Strubbe as indicated in the Office Action from the knowledge generally available to one of ordinary skill in the art. Therefore, the rejection of claims 12 and 27 under 35 U.S.C. §103(a) is improper and claims 12 and 27 are allowable.

Claims 10-11 depend from claim 7 and claims 25-26 depend from claim 22. As discussed above, claims 7 and 22 are allowable. For this reason and the additional features they recite, claims 10-11 and 25-26 are allowable. Claims 13-15 depend from claim 12 and claims 28-30 depend from claim 27. As discussed above, claims 12 and 27 are allowable. For this reason and the additional features they recite, claims 13-15 and 28-30 are allowable. Withdrawal of the rejection of claims 10-15 and 25-30 under 35 U.S.C. § 103(a) is respectfully requested.
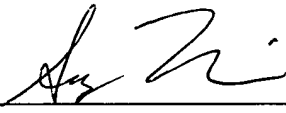
For at least the reasons set forth above, applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Attached hereto is a marked-up version and an executed version of the changes made to the claims by the current amendment. The attached pages are captioned **"Version with markings to show changes made"** and **"Version showing executed changes"**, respectively.

Respectfully submitted,

Date: **September 6, 2002**

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Attachments: Version With Markings to Show Changes Made
Version Showing Executed Changes

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims**

7. (Twice Amended) An advanced set top terminal for use with a television program delivery system comprising:

a memory for storing menu content information;

a receiver for receiving digitally compressed program signals and a control information stream, wherein the control information stream comprises a description of the contents of the program signals received with the control information stream, commands to be sent to the set top terminal and transmission information of the control information stream;

a signal processor connected to the memory and the receiver for processing the control information stream to produce processed control information, whereby the processed control information is used to update the stored menu content information to produce updated menu content information;

a generator connected to the memory for generating message and menu displays using the updated menu content information, whereby the displays produce subscriber options for selection of other menus and television programs;

a subscriber interface in communication with the generator for selecting messages, menus, television programs or for entry of subscriber inputs; and

a tuner connected to the interface for tuning to one of the digitally compressed program signals to produce a tuned television program signal.

22. (Twice Amended) A method for using an advanced set top terminal with a television program delivery system comprising the following steps:

storing menu content information;

receiving digitally compressed program signals and a control information stream, wherein the control information stream comprises a description of the contents of the program signals received with the control information stream, commands to be sent to the set top terminal and transmission information of the control information stream;

processing the control information stream to produce processed control information;

updating the stored menu content information to produce updated menu content information;

generating message and menu displays using the updated menu content information, whereby the menu displays produce subscriber options for selection of other menus and television programs;

selecting the other menus, the television programs or a message display; and

tuning to one of the digitally compressed television programs signals to produce a tuned television program signal.